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10/692,639	10/24/2003	Eric Rudolph	302126.02	8619

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EXAMINER
EHICHIOYA, FRED I

ART UNIT	PAPER NUMBER
2162	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)	
Office Action Summary	10/692,639	RUDOLPH ET AL.	
	Examiner	**Art Unit**	
	Fred I. Ehichioya	2162	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>09 October 2007</u>.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1 - 7 and 19 - 23</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1 - 7 and 19 - 23</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

     1.☐ Certified copies of the priority documents have been received.

     2.☐ Certified copies of the priority documents have been received in Application No. _____.

     3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1 – 7 and 19 – 23 are pending in this Office Action.

Response to Arguments

2.   Applicant argues:

   (a)   *Toll fails to disclose or suggest the elements of in response to receiving the*

plurality of media parameters (page 6, paragraph 4).

   (b)   *Toll fails to disclose or suggest the elements of in response to receiving the first*

and second plurality of media parameters (page 6, paragraph 4).

   (c)   *Toll fails to disclose or suggest the elements of in response to receiving the*

media processor, timeline, and topology parameters (page 7, paragraph 1).

   (d)   *The Office Action fails to establish that Iwata discloses or suggests the elements*

of in response to receiving the plurality of media parameters (page 7, paragraph 2).

   (e)   *Iwata fails to disclose or suggest the elements of in response to receiving the*

first and second plurality of media parameters (page 7, paragraph 3).

   (f)   *Iwata fails to disclose or suggest the elements of in response to receiving the*

media processor, timeline, and topology parameters (page 7, paragraph 3).

   (g)   *Pogue, Jr. is completely silent as to the elements of in response to receiving the*

plurality of media parameters (page 8, section B).

   (h)   *Pogue, Jr. fails to disclose or suggest the elements of in response to receiving*

the first and second plurality of media parameters (page 9, paragraph 1).

   (i)   *Nothing in Pogue, Jr. indicates that the "plus flag" language discloses therein*

refers to a dirty flag (page 9, paragraph 4).

(j)   *Even if the parameters and/or functions disclosed in Pogue Jr. are capable of implementing "certain actions", Pogue Jr. still fails to disclose or suggest, at the sections cited by the Office Action or elsewhere, the specific elements of wherein the GetActualOutputNode command and the GetActualInputNode command are used to find a base level non-segment node connected to one of an output stream and an input stream at a predetermined index of the segment topology node, as included in claim 22 (page 10, paragraph 1).*

In response to arguments (a), (b), (d), (e), (g) and (h), Examiner respectfully disagrees with the applicant. Firstly Toll discloses the descriptions for electronic environment and electronic component (column 2, lines 37 - 38); these are media components as shown in column 5, lines 5 - 15 and secondly, Iwata discloses receiving the plurality of parameters as shown in column 3, lines 54 - 57, Therefore, the combination of Toll and Iwata clearly suggests applicants claimed limitation of in response to receiving the plurality of media parameters.

In response to arguments (c) and (f), Examiner respectfully disagrees with the applicant. Iwata discloses receiving the media processor (column 3, lines 48 - 57), timeline, and topology parameters (column 6, lines 51 - 60).

In response to arguments (i), Examiner respectfully disagrees with the applicant. As shown in column 15, lines 10 – 13, Pogue Jr. discloses "plus flag". Plus flag and dirty flags perform the same functionality. Therefore, column 15, lines 10 - 13 of Pogue Jr., clearly suggests applicant's claimed limitation of claim 21.

In response to arguments (j), Examiner respectfully disagrees with the applicant. Applicant's claimed limitation of claim 22 "the GetActualOutputNode command and the

GetActualInputNode command" functions that are used to find a base level of output

stream and an input stream the segment topology node. As correctly stated in the

argument, applicant states that Pogue Jr. discloses parameters and functions for

implementing certain actions. Examiner submits that these functions of Pogue Jr.

perform similar to the claimed limitation of claim 22.

In view of the above response Examiner contends that the rejection of the last

Office Action is proper.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1, 19 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable

over U.S. Patent No. 6,430,526 issued to Kim R. Toll (Hereinafter "Toll) in view of U.S.

patent No. 6,385,201 issued to Atsushi Iwata (hereinafter "Iwata").

Regarding claim 1, Toll discloses a method for providing a topology interface for

a multimedia processing system (see column 4, lines 34 – 35), the method comprising:

creating by topology application programming interface a topology interface (see

column 2, lines 29 – 35 wherein "topology engine 37 provides a high-level application

programming interface (API) by which application 20 is able to configure and control

electronic components 65. Application 20 may include a user interface...") capable of

being passed to a media processor as an extensible symbolic representation (see

column 2, lines 36 – 40 wherein topology description language is interpreted as

extensible symbolic representation) of an intended media flow based on at least one of

the received media parameters (see column 4, lines 33 – 40 wherein media types are

interpreted as media parameters).

Toll does not explicitly teach parameters as claimed.

Iwata discloses receiving a plurality of media parameters (see column 2, lines 3 -

9 wherein the peer group leader comprises negotiating means for exchanging

parameters with other group leader nodes .....) identifying at least an identifier, a node

type, a data type (see column 4, lines 2 – 4 wherein node identifier is interpreted as the

parameter) and a duration (see column 6, lines 52 – 53 wherein the time interval is

interpreted as duration).

It would have been obvious to one of ordinary skills in the data processing art at

time of present invention to combine the cited reference because Iwata's teaching of

plurality of parameter would have allowed Toll's system to exchange parameters among

nodes. The motivation is that these parameters are used to store resource data for the

star topology.

Regarding claim 19, Toll discloses a method for providing a segment topology node interface for a multimedia processing system (see column 4, lines 34 – 35), the method comprising:

creating by a segment topology node application programming interface the segment topology node interface as part of a topology (see column 2, lines 29 – 35 wherein "topology engine 37 provides a high-level application programming interface (API) by which application 20 is able to configure and control electronic components 65. Application 20 may include a user interface...") that is incapable of alteration of input and output nodes to the segment topology node, the segment topology node being separately identifiable (see column 2, lines 32 – 35 wherein the application may be automatically implemented via topology engine 37 without input from user).

Toll does not explicitly teach parameters as claimed.

Iwata discloses receiving a first parameter defining one or more connections for the segment topology node (see column 3, lines 55 – 59 wherein the parameters describe the logical link between nodes);

receiving a second parameter identifying a pointer to a topology to which the segment topology node can connect (see column 4, lines 49 – 55 wherein in this second step links multiple set of local and remote nodes and the values displayed in Fig.3 are parameters).

It would have been obvious to one of ordinary skills in the data processing art at time of present invention to combine the cited reference because Iwata's teaching of plurality of parameter would have allowed Toll's system to exchange parameters among

nodes. The motivation is that these parameters are used to store resource data for the star topology.

Regarding claim 23, Toll discloses a method for providing an interface for a multimedia processing system (see column 4, lines 34 – 35), the method comprising:

in response, enabling by an application programming interface (see column 2, lines 29 – 35 wherein "topology engine 37 provides a high-level application programming interface (API) by which application 20 is able to configure and control electronic components 65. Application 20 may include a user interface...") a multimedia processing function via an extensible symbolic abstraction of media objects (see column 2, lines 36 – 40 wherein topology description language is interpreted as extensible symbolic representation).

Toll does not explicitly disclose the media processor parameter, the timeline parameter and the topology parameter.

receiving a media processor parameter related to received media data (see column 7, lines 30 – 32 wherein the aggregation unit is the processor parameter);

receiving a timeline parameter related to timing of events to occur for performing media processing (see column 2, lines 3 - 9 wherein the peer group leader comprises negotiating means for exchanging parameters with other group leader nodes .....); and

receiving a topology parameter describing a flow for the received media data (see column 3, lines 55 – 59 wherein the parameters describe the logical link between nodes).

receiving the media processor (column 3, lines 48 - 57), timeline, and topology

parameters (column 6, lines 51 - 60).

It would have been obvious to one of ordinary skills in the data processing art at

time of present invention to combine the cited reference because Iwata's teaching of

plurality of parameter would have allowed Toll's system to exchange parameters among

nodes. The motivation is that these parameters are used to store resource data for the

star topology.

5.   Claims 2 – 7 and 20 - 22 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Toll in view of Iwata and further in view of U.S. patent No. 5,995,512

issued to Russell Wilbur Pogue, Jr., (hereinafter "Pogue).

Regarding claim 2, Toll and Iwata disclose the claimed subject matter as

discussed in claim 1. Toll or Iwata does not explicitly disclose "GetCacherObject ...

GetOptonalFlag" as claimed.

However, Pogue discloses wherein the media parameters include one or

more of a GetCacherObject, a GetNodeType, a GetTopoNodeID, a SetProjectStartStop,

a GetProjectStartStop, a GetInputCount, a GetOutputCount, a ConnectOut, a GetInput,

a GetOutput, a SetOutputPrefType, a GetOutputPrefType, a SetMajorType, a

GetMajorType, a CloneFrom, a SetInputCount, a SetOutputCount, a

SetStreamDiscardable, a GetStreamDiscardable, a SetOptionalFlag, and a

GetOptonalFlag (see column 9, lines 2 – 13 wherein examiner interprets

"GetCacherObject ... GetOptonalFlag" as various parameter functions that implement

certain actions; therefore Pogue's parameters/functions that perform variety of actions

are interpreted as "GetCacherObject ... GetOptonalFlag").

It would have been obvious to one of ordinary skills in the data processing art at

time of present invention to combine the cited reference because Progue's teaching of

parameters/functions would have allowed Toll and Iwata's system to implement one of

these parameters/functions such as the parameters/functions for holding, receiving data

from high speed network and outputting the data to node interface would have achieved

the same result as applicant's parameters of "a GetInput, a GetOutput".

Regarding claim 3, Pogue discloses the method of claim 1 wherein the media

parameters include a SetSourceAndDescriptor method that enables a topology loader

to create a media stream based on a descriptor (see column 7, lines 52 – 65).

Regarding claim 4, Pogue discloses the method of claim 1 wherein the node type

is a segment topology node type such that any modifications made to the topology to

add, remove or connect nodes does not alter input and output nodes (see column 16,

lines 52 – 65).

Regarding claim 5, Pogue discloses the method of claim 1 wherein the unique

identifier enables sharing and reusing the nodes in a plurality of topologies (see Fig. 1

and column 10, lines 15 – 25).

Regarding claim 6, Pogue discloses the method of claim 4 wherein the segment

topology node type is created via an IMFSegmentTopologyNode : IUnknown interface

(see column 9, lines 2 – 13 wherein examiner interprets "IMFSegmentTopologyNode"

as a parameter functions that implement certain actions; therefore one of Pogue's

parameters/functions that perform variety of actions is interpreted as

IMFSegmentTopologyNode : IUnknown interface).

Regarding claim 7, Pogue discloses the method of claim 4 wherein the segment

topology node type is created via an IMFSegmentTopologyNode : IUnknown interface

including one or more of GetSegmentTopology(IMFTopolgy* pTopology),

SegmentTopology(IMFTopology** ppTopology), SetDirty(BOOL bDirty), BOOL

IsDirty0, BOOL GetActualOutputNode(long lOutputIndex, IMFTopologyNode**

ppActualNode, long* plNodeOutputIndex), and BOOL GetActualInputNode(long

lInputIndex, IMFTopologyNode** ppActualNode, long* plNodeInputIndex) (see column

9, lines 2 – 13 wherein examiner interprets "GetSegmentTopology(IMFTopolgy*

pTopology),......, long* plNodeInputIndex" as various parameter functions that

implement certain actions; therefore Pogue's parameters/functions that perform variety

of actions are interpreted as "GetSegmentTopology(IMFTopolgy* pTopology),......,

long* plNodeInputIndex").

Regarding claim 20, Pogue discloses the method of claim 19 wherein the

segment topology node is created by a topology loader operable through one or more of

a SetSegmentTopology(IMFTopolgy* pTopology) command, a GetSegmentTopology(

IMFTopology** ppTopology) command, a SetDirty(BOOL bDirty) command, a IsDirty0

command, a GetActualOutputNode(long lOutputIndex, IMFTopologyNode**

ppActualNode, long* plNodeOutputIndex) command and a GetActualInputNode(long

lInputIndex, IMFTopologyNode** ppActualNode, long* plNodeInputIndex) command

(see column 9, lines 2 – 13 wherein examiner interprets "SetSegmentTopology(

IMFTopolgy* pTopology),....., long* plNodeInputIndex" as various parameter functions

that implement certain actions; therefore Pogue's parameters/functions that perform

variety of actions are interpreted as "SetSegmentTopology(IMFTopolgy* pTopology

),....., long* plNodeInputIndex").

Regarding claim 21, Pogue discloses the method of claim 20 wherein the IsDirty

and the SetDirty commands relate to a dirty flag on the topology that is inside the

segment topology node to determine whether the topology requires resolving (see

column 15, lines 10 – 13 wherein the plus flag is interpreted as a dirty flag).

Regarding claim 22, Pogue discloses the method of claim 20 wherein the

GetActualOutputNode command and the GetActualInputNode command are used to

find a base level non-segment node connected to one of an output stream and an input

stream at a predetermined index of the segment topology node (see column 9, lines 2 –

13 wherein examiner interprets "GetActualOutputNode command and the

GetActualInputNode command" as parameters/functions that implement certain actions;

therefore one of Pogue's parameters/functions that perform variety of actions is

interpreted as "GetActualOutputNode command and the GetActualInputNode

command".

Conclusion

6.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Fred I. Ehichioya whose telephone number is 571-272-

4034. The examiner can normally be reached on M - F 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John E. Breene can be reached on 571-272-4107. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Fred I. Ehichioya/

December 26, 2007

Cam Y Truong
primary Examiner